\Docket No.: 050389-0053

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE BEFORE THE BOARD OF PATENT APPEALS AND INTERFERENCES

In re Application of : Customer Number: 20277

Kiichi MEGURO, et al. : Confirmation Number: 3835

Application No.: 10/510,848 : Group Art Unit: 1792

Filed: October 13, 2004 : Examiner: Robert M. Kunemund

For: DIAMOND COMPOSITE SUBSTRATE AND PROCESS FOR PRODUCING THE

SAME

## NOTICE OF APPEAL FROM THE PRIMARY EXAMINER TO THE BOARD OF APPEALS

Mail Stop AF Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

Sir:

Applicant hereby appeals to the Board of Appeals from the decision dated July 1, 2008 of the Primary Examiner finally rejecting claims 1-3, 13 and 16-19.

Appeal Fee	e: <u>\$540.00</u>
	Not required (fee paid in prior appeal in this application)
$\boxtimes$	Charge to Deposit Account No. 500417.
	Check Enclosed.

To the extent necessary, a petition for an extension of time under 37 C.F.R. 1.136 is hereby made. Please charge any shortage in fees due in connection with the filing of this paper, including extension of time fees, to Deposit Account 500417 and please credit any excess fees to such deposit account.

Respectfully submitted,

McDERMOTT WILL & EMERY LLP

Takashi Saito

Limited Recognition No. L0123

The Santo

Please recognize our Customer No. 20277 as our correspondence address.

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**Date: December 29, 2008** WDC99 1666580-1.050389.0053